1	Jane G. Kearl (CA 156560) Colin C. Holley (CA 191999)	
2	WATT, TIEDER, HOFFAR & FITZGERALD, L.	L.P.
3	2040 Main Street, Suite 300 Irvine, CA 92614	
4	Telephone: 949-852-6700 Facsimile: 949-261-0771 Facsilia illustration of the second se	ě
5	Email: jkearl@watttieder.com cholley@watttieder.com	
6	Attorneys for Creditor Barnard Pipeline, Inc.	
7	•	DANIZDUDECU COLIDE
8	VI.I	BANKRUPTCY COURT TRICT OF CALIFORNIA
9	SAN FRAN	CISCO DIVISION
10	In re:	Bankruptcy Case
11	PG&E CORPORATION,	Case No. 19-30088 (DM) Chapter 11
12	-and-	(Lead Case) (Jointly Administered)
13	PACIFIC GAS AND ELECTRIC COMPANY,	(
14	Debtors.	
15	☐ Affects PG&E Corporation	NOTICE OF CONTINUED PERFECTION
16	☐ Affects Pacific Gas and Electric Company	OF MECHANICS LIEN PURSUANT TO 11 U.S.C. § 546(b)(2)
17	□ Affects both Debtors	Tehama County (Lien 2019001050)
18	* All papers shall be filed in the Lead Case, No. 19-30088 (DM)	
19	170. 19-30000 (DIVI)	
20		
21	Barnard Pipeline, Inc. ("Barnard"), b	y and through its undersigned counsel, hereby gives
22	notice of continued perfection of its mechani	cs lien under 11 U.S.C. § 546(b)(2), as follows:
23	Barnard has provided and deli	vered labor, services, equipment, and/or materials for
24	the construction and improvements of project	s located in the County of Tehama, State of California
25	(the "Property"), the legal description for wh	ich is set forth in the Claim of Mechanics Lien, a true
26	copy of which is attached hereto as Exhibit	(the "Mechanics Lien").
27	2. The Property is owned by F	PG&E Corporation and/or Pacific Gas and Electric
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Company (collectively, the "Debtors"), which filed voluntary petitions for relief under Chapter 11

of Title 11 of the United States Code (the "<u>Bankruptcy Code</u>") on January 29, 2019 (the "<u>Petition</u> <u>Date</u>").

- 3. On January 28, 2019, before the Petition Date, Barnard properly and timely recorded its Mechanics Lien under California Civil Code § 8400, *et seq.* in the Official Records of Tehama County, State of California.
- 4. Through January 28, 2019, the amount owing to Barnard subject to its Mechanics Lien is at least \$19,737.42, exclusive of accruing interest and other charges, and additional amounts which have continued and are continuing, to accrue after the Petition Date.
 - 5. California Civil Code § 8460(a) provides that:

The claimant shall commence an action to enforce a lien within 90 days after recordation of the claim of lien. If the claimant does not commence an action to enforce the lien within that time, the claim of lien expires and is unenforceable[.]

- 6. Pursuant to California Civil Code § 8460, an action to enforce a lien must be commenced within 90 days after recordation of the claim of lien. However, section 362 of the Bankruptcy Code automatically stays Barnard from filing a state court action to enforce its mechanics lien. See 11 U.S.C. § 362.
 - 7. Section 546(b)(2) of the Bankruptcy Code provides that when applicable law

... requires seizure of such property or commencement of an action to accomplish such perfection, or maintenance or continuation of perfection of an interest in property; and ... such property has not been seized or such an action has not been commenced before the date of the filing of the petition; such interest in such property shall be perfected, or perfection of such interest shall be maintained or continued, by giving notice within the time fixed by such law for such seizure or such commencement.

See 11 U.S.C. § 362; see also Village Nurseries v. Gould (In re Baldwin Builders), 232 B.R. 406, 410-11 (9th Cir. 1999); Village Nurseries v. Greenbaum, 101 Cal.App.4th 26, 41 (Cal. Ct. App. 2002).

8. Accordingly, Barnard hereby provides notice of its rights as a lienholder in the Property pursuant to California's mechanics lien law. Barnard is filing and serving this notice to perfect, preserve, maintain, and continue the perfection of its lien and its rights in the Property to

IRVINE

comply with the requirements of California state law, 11 U.S.C. §§ 362(a), 362(b)(3), and 546(b)(2), and any other applicable law. This notice constitutes the legal equivalent of having recorded a mechanics lien in the recorder's office for the county where the Property is located and then having commenced an action to foreclose the lien in the proper court. By this notice, the Debtors and other parties in interest are estopped from claiming that the lawsuit to enforce Barnard's mechanics lien was not timely commenced pursuant to applicable state law. Barnard intends to enforce its lien rights to the fullest extent permitted by applicable law. The interests, perfected, maintained, or continued by 11 U.S.C. § 546(b)(2) extend in and to the proceeds, products, offspring, rents, or profits of the Property.

- The filing of this notice shall not be construed as an admission that such filing is 9. required under the Bankruptcy Code, the California mechanics lien law, or any other applicable law. In addition, Barnard does not make any admission of fact or law, and Barnard asserts that its lien is senior to and effective against entities that may have acquired rights or interests in the Property previously.
- The filing of this notice shall not be deemed to be a waiver of Barnard's right to 10. seek relief from the automatic stay to foreclose its mechanics lien and/or a waiver of any other rights or defenses.
 - Barnard reserves all rights, including the right to amend or supplement this notice. 11.

Dated: April _____, 2019

WATT, TIEDER, HOFFAR & FITZGERALD, L.L.P.

Jane G. Kearl (CA 156560) Colin C. Holley (CA 191999)

2040 Main Street, Suite 300

Irvine, CA 92614

Email:

Telephone: 949-852-6700 Facsimile: 949-261-0771

> ikearl@watttieder.com cholley@watttieder.com

Attorneys for Creditor Barnard Pipeline, Inc.

ATTORNEYS AT LAW IRVINE

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CERTIFICATE OF SERVICE

I hereby certify that on April 2, 2019, I caused a copy of the foregoing Notice of Continued Perfection of Mechanics Lien Pursuant to 11 U.S.C. § 546(b)(2) to be sent via e-mail and/or first-class mail to the parties identified in the Master Core/2002 Service List attached hereto as Exhibit B.

Jane G. Kearl

WATT, TIEDER, HOFFAR & TZGERALD, LA PSE: 19-30088

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27	EXHIBIT A
28	TOTAL PRODUCT TOTAL PLANT CONTROL PRODUCT AND

Recording requested by: Barnard Pipeline, Inc.

And when recorded mail this document to:

Jane G. Kearl, Esq. Robert C. Shaia, Esq. Watt, Tieder, Hoffar & Fitzgerald, LLP 2040 Main Street, Suite 300 Irvine, CA 92614 Doc # 2019001050
Page 1 of 3
Date: 1/28/2019 10:42A
Recording Requested By:
GENERAL PUBLIC
Filed & Recorded in Official Records
of TEHAMA COUNTY
JENNIFER A. VISE
COUNTY CLERK & RECORDER
Fee: \$95.00

For recorder's use

MECHANICS' LIEN (Cal. Civ. Code § 8416, et seq.)

1. BARNARD PIPELINE, INC. ("Claimant") claims a mechanics lien for the labor, services, equipment and/or materials described in paragraph 2, furnished for a work of improvement on that certain real property located in the City of Red Bluff, County of Tehama, State of California, and more particularly described as:

All right, title and interest of Pacific Gas and Electric Company ("PG&E") in all easements and all improvements, structures, and pipelines therein, in or on which Claimant provided labor, services, equipment, and/or materials as set forth in paragraph 2, including, specifically, without limitation, all right, title and interest of PG&E in improvements, structures and pipelines located approximately at 23385 Hogsback Rd., Red Bluff, California, APN 049-060-004.

- 2. After deducting all just credits and offsets, the sum of \$19,737.42 together with interest at the rate of 10% per annum from January 22, 2019, is due Claimant for the following: labor, services, equipment and/or materials for gas transmission potholing services for depth of pipe location, and related construction work performed under the Alliance Agreement Contract between Claimant and PG&E and Contract Work Authorization No. C4981, or as otherwise requested by PG&E.
- 3. Claimant furnished the labor, services, equipment and/or materials, at the request of: PG&E.
- 4. The name and address of the owner(s) or reputed owner(s) of the real property is/are: PG&E, 77 Beale Street, 32nd Floor, San Francisco, CA 94105.

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5. Claimant's address is: 701 Gold Avenue, Bozeman, MT 59715.

Dated January 22, 2019

BARNARD PIPELINE, INC.

By: Zach Bowler Vice Presiden

<u>VERIFICATION</u>

I, Zach Bowler, am the Vice President of Claimant on the foregoing Mechanics Lien and am authorized to make this verification for and on its behalf. I have read the foregoing Mechanics Lien and know the contents of the Mechanics Lien to be true of my own knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated Janey 22, 2019

Zaeh Bowler, Vice Presiden

NOTICE OF MECHANICS LIEN

ATTENTION!

Upon the recording of the enclosed MECHANICS LIEN with the county recorder's office of the county where the property is located, your property is subject to the filing of a legal action seeking a court-ordered foreclosure sale of the real property on which the lien has been recorded. That legal action must be filed with the court no later than 90 days after the date the mechanics lien is recorded.

The party identified in the enclosed mechanics lien may have provided labor or materials for improvements to your property and may not have been paid for these items. You are receiving this notice because it is a required step in filing a mechanics lien foreclosure action against your property. The foreclosure action will seek a sale of your property in order to pay for unpaid labor, materials, or improvements provided to your property. This may affect your ability to borrow against, refinance, or sell the property until the mechanics lien is released.

BECAUSE THE LIEN AFFECTS YOUR PROPERTY, YOU MAY WISH TO SPEAK WITH YOUR CONTRACTOR IMMEDIATELY, OR CONTACT AN ATTORNEY, OR FOR MORE INFORMATION ON MECHANICS LIENS GO TO THE CONTRACTORS STATE LICENSE BOARD WEB SITE AT www.cslb.ca.gov.

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PROOF OF SERVICE

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I, Julie Benton, declare:

I am employed in the County of Orange, State of California. I am over the age of 18 years and not a party to the within action. My business address is 2040 Main Street, Suite 300, Irvine, California 92614-6232.

On January 23, 2019, I served \square the originals \boxtimes true copies of the following document(s) described as MECHANICS LIEN and NOTICE OF MECHANICS' LIEN on the interested parties in this action, by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, the United States mail at Irvine, California addressed as set forth below:

Pacific Gas & Electric Company (PG&E) 77 Beale Street, 32nd Floor San Francisco, CA 94105

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on January 23, 2019, at Irvine, California.

Julie Benton

WATT, TIEDER,
HOFFAR &
FITZGERALD, L.L.P.

ATTORNEYS AT LAW | 19-30088 | Doc# 1441 | Filed: 04/15/19 | Entered: 04/15/19 14:45:19 | Page 8 of

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	29 csimon@bergerkahn.com	949-313-5029	949-474-1880	92614	Invine CA	Suite 4925	555 California Street	-	Ę	ounsel for Infosys Limited, Counsel for ACRT, Inc.
e:	2 kenns@beneschlaw.com	312-767-9192	415-659-7924	94104	j	n		-	BENESCH, FRIEDLANDER, COPLAN & ARONOFF	Counsel for Infosys Limited, Counsel for ACR1, Inc.
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	5 belvederelegaled@gmail.com	415-513-5985	213-621-4000	90071-3485	os Angeles CA		Suite 2200	McCumin, Christopher D. Higashi	Barron Klueman & Oetting LLP	
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	_		79T0-688-795	90601	Whittier	W	12518 Beverly Boulevard	Attn: MARTHA E. ROMERO	M	y Counsel for Certain Fire Damage
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			707-565-2421	95403	β	Canta Rosa	575 Administration	County Administration	and the constant of the consta	Cotchett, Pitre & McCaruy, LLP	Case Management Order No. 1
	fpltre@cpmlegal.com acordova@cpmlegal.com)577 ablodgett@cpmlegal.com	650-697-0577	650-697-6000	94010	S	Burlingame	840 Malcolm Road, Suite 200	San Francisco Airport Office	Attn: Frank M. Pitre, Alison E. Cordova,		individual Plaintiffs Executive Committee appointed by the California Superior Court in the North Bay Fire Cases, Judicial Council Coordination Proceeding Number 4955, Pursuant to the terms of the Court's
24	144 sm@coreylaw.com	850-871-4144	650-871-5666	94030-0669	S	Milibrae	PO Box 669	700 El Camino Real	Attn: Dario de Ghetaldi, Amanda L. Riddle, Steven M. Berkl, Sumble Manzoor	COREY, LUZAICH, DE GHETALDI & RIDDLE LLP	for Fire Victim Creditors
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	999 mschierbert@csgsh.com	212-225-3999	212-255-2000	10006	ΥN	New York	oute out	in Avenue	Attn: Michael W. Goodin Attn: Lisa Schweltzer, Margaret	Clausen Miller P.C.	1
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	mgorton@boutin ones.com			95814	S	Sacramento	Suite 1500	SSS Capital Mail	3		d Party-in-Interest Sonoma
		408-295-1531	408-295-1700	95050	S	Santa Clara		2775 Park Avenue	Attn: Michael W. Malter, Robert G. Harris, Heinz Binder		rgePoint, Inc., Counsel to Almendariz

Master Service List
Case No. 19-30088

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	312-207-2417 415-543-8700 412-288-3131 412-915-5192 415-988-2002 949-851-7450	60606 94105-3659 115222 94111 94111 92660	Santa Monica CA	Site 450	808 Wilshire Boulevard	Attn: Bill Robins III. Robert Bryson		Ingation of October Just 3 and one Carling Frie individual Plaintiffs Executive Committee appointed by the California Superior Court in the North Bay Fire Cases, Judicial Council Coordination Proceeding Number 4955, Pursuant to the terms of the Court's
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